

In compliance with 37 C.F.R. 1.16(e), enclosed is a check in the amount of \$170.00 to cover the required surcharge for late filing of the Declaration (\$130.00) and a check for \$40.00 for the filing of the Assignment. Please charge any additional fees, or credit any overpayment in fees, to Deposit Account No. 50-0320.

AMENDMENT

It is respectfully requested that the application be amended, without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as follows:

IN THE SPECIFICATION:

Page 7, line 9, please rewrite the paragraph thereat as follows:

The promoter (hereinafter also referred to as IRFE promoter) for inducible high-level mammalian gene expression has the composition for Figure 1, wherein

MPSV-E means MPSV enhancer repeats, e.g. from pMBC-1NheI-XhoI, of the sequence:

GCTAGCTTAAGTAACGCCATTTTGCAAGGCATGGGAAAAATACATAACTGAGAATAGAGAAG
TTCAGATCAAGGTCAGGAACAGAGAAACAGGAGAATATGGGCCAAACAGGATATCTGTGGTA
AGCAGTTCCTGCCCCGCTCAGGGCCAAGAACAGTTGGAACAGGAGAATTGGGCCAAACAGGA
TATCTGTGGTAAGCAGTTCCTGCCCCGCTCAGGGCCAAGAACAGATGGTCCCCAGATGCGGT
CCCGCCCTCAGCAGTTTCTAGA, (SEQ ID NO: 1)

or isofunctional (i.e. having the same biological activity or function) variants thereof obtained by substitution, insertion or deletion of one or more nucleotides,

IRF-1 binding sites means the sequence:

GATCCCTTCTCGGGAAATGGAAACTGAAAATCAGATCCCTTCTCGGGAAATGGAAACTGAAA
ATCAGATC, (SEQ ID NO: 2)

or isofunctional variants thereof obtained by substitution, insertion or deletion of one or more nucleotides,

and CMV means the CMV minimal promoter, e.g. from the plasmid pGL2 (Promega, Madison, WI):

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(cont'd)
TGGCGTGTACGGTGGGAGGCCTATATAAGCAGAGCTCGTTTAGTGAACCGTCAA
ACCGTCAAACCGCGGAAGCT, (SEQ ID NO: 3)

or isofunctional variants thereof obtained by substitution, insertion or deletion of one or more nucleotides.

Immediately after page 21 and before the first page of claims (page 22), please insert the enclosed pages identified as --Sequence Listing--.